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Message Text

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73
ACTION L-03

INFO OCT-01 ARA-06 ISO-00 IO-13 CIAE-00 DODE-00 PM-04 H-02

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 JUSE-00 DHA-02 SCS-03 SCA-01 /072 W
---------- 003221
P 160047Z SEP 76
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC PRIORITY 7431

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E.O. 11652: N/A
TAGS: CASC, MX
SUBJECT: PROPOSAL ON TRANSFER OF SANCTIONS: US-GOM DISCUSSIONS

REF: MEXICO 11862

1. AFTER CONSULTING WITH EMBASSY STAFF ON SEPT 13, LEGAL ADVISER AND COUSELOR ON INTERNATIONAL LAW ACCOMPANIED BY MCANINCH AND GAITHER OF EMBASSY STAFF CONFERRED WITH MEXICAN REPRESENTATIVES AT SECRETARIAT OF FOREIGN RELATIONS FROM 10:00 TO 13:30 HOURS ON 14TH. MEXICAN REPRESENTATIVES INCLUDED AMBASSADOR ROSENZWEIG DIAZ, LIC. SOCRATES HUERTA OF JUSTICE DEPARTMENT AND JORGE AGUILAR, DIRECTOR OF CONSULAR SERVICES. INFORMAL DISCUSSIONS WERE HELD WITH GARCIA RAMIREZ OF GOBERNACION AT CHARGES RECEPTION THAT EVENING.

2. CONSULTATIONS COVERED WIDE VARIETY OF TECHNICAL DETAILS, BASED ON PREVIOUS AIDE MEMOIRE AND MEXICAN RESPONSE. NO INSURMOUNTABLE OBSTACLES APPEARED. PROBLEMS ENCOUNTERED INCLUDED 1) APPLICABILITY OF TRANSFER TO DIFFERENT CATEGORIES OF OFFENSES SUCH AS IMMIGRATION AND POLITICAL CRIMES, 2) FEDERAL STATE RELATIONS IN BOTH COUNTRIES, 3) WHETHER CONSENT BY THE PRISONERS SHOULD BE REQUIRED, 4) WHAT PROCEDURES SHOULD BE FOLLOWED TO OBTAIN JUDICIAL APPROVAL OF THE TRANSFER, 5) HOW PAROLE AND PARDON PRO-
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CEDURES SHOULD BE APPLIED TO TRANSFERRED PRISONERS.

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3. AT CLOSE OF MEETING BOTH PARTIES AGREED UPON A TIME SCHEDULE AS FOLLOWS: PROPOSED TEXTS WILL BE EXCHANGED BY THE FIRST WEEK IN OCTOBER AND THERE WILL BE FURTHER MEETING IN SECOND HALF OF OCTOBER TO RECONCILE TEXTS AND NEGOTIATE AD REFERENDUM DRAFT TO SUBMIT TO GOVERNMENT AGENCIES. ULTIMATE OBJECTIVE IS TO COMPLETE NEGOTIATION OF AN AD REFERENDUM DRAFT DURING NOVEMBER. PARTIES AGREED UPON PRESS RELEASE REPORTED REFTEL.

4. PARTIES INTEND TO EXCHANGE DATA ON NUMBERS AND CATEGORIES OF NATIONALS HELD IN FOREIGN PRISONS TO MAKE CLEAR QUANTITIES AND TYPES SUBJECT TO POSSIBLE TRANSFER.

5. ACCOMPANIED BY CHARGE, LEGAL ADVISER MET THIS MORNING, SEPT. 15, WITH FOREIGN SECRETARY TO CONFIRM ARRANGEMENTS AND ABOVE TIMETABLE. CONVERSATION TOOK NOTE OF FACT THAT MEXICAN CONGRESS NOT IN SESSION JANUARY TO SEPTEMBER. FOREIGN SECRETARY AGREED THAT SEPTEMBER 1977 WOULD BE TOO LONG TO WAIT FOR MEXICAN RATIFICATION. ON THE OTHER HAND, THIS DID NOT MEAN THAT MEXICAN RATIFICATION BY YEAR'S END WAS AN ABSOLUTE NECESSITY. HE NOTED THAT IT IS NOT UNUSUAL FOR THE PRESIDENT TO CONVOKE AN EXTRAORDINARY SESSION OF THE CONGRESS AND ANTICIPATED THAT THERE WOULD BE OTHER TAKS BEYOND THE REQUIREMENT FOR TREATY RATIFI-CATION WHICH WOULD JUSTIFY SUCH A SESSION.
THOMPSON

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